

Remarks

General

Claims 1-17 and 19-31 are pending in the application. The issues in the application are as follows:

- Claims 1, 8-11 and 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by Braveman et al. (U.S. 5,866,888).
 - Claims 2-7 and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Braveman et al. (U.S. 5,866,888) in view of Baron et al. (U.S. 5,809,481).
 - Claims 12-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Braveman et al. (U.S. 5,866,888) in view of Baron et al. (U.S. 5,809,481) and further in view of Sehr (U.S. 6,085,976).
 - Claims 21-31 are new.

In response, Applicants hereby traverse the outstanding rejections and request reconsideration and withdrawal in light of the amendments and remarks contained herein. Applicants also present new claims 21-31 for consideration.

Rejection of Claims under 35 U.S.C. § 102

Claims 1, 8-11 and 19 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,866,888 to Braveman et al. (hereafter, "Braveman").

As a starting point, the PTO and the Federal Circuit provide that §102 anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference. (*In re Spada*, 911 F.2d 705, 15 USPQ2d 1655 (Fed. Cir. 1990)). The corollary of this rule is that the absence from a cited §102 reference of any claimed element negates the anticipation. (*Kloster Speedsteel AB, et al v. Crucible, Inc., et al*, 793 F.2d 1565, 230 USPQ 81 (Fed. Cir. 1986)). Furthermore, “[a]nticipation requires that all of the elements and limitations of the claims are found within a single prior art reference.” (*Scripps Clinic and Research Found. v Genetech, Inc.*, 927 F.2d 1565, 1576, 18 U.S.P.Q.2d 1001, 1010

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1 (Fed. Cir. 1991 (Emphasis added)). Moreover, the PTO and the Federal Circuit
2 provide that §102 anticipation requires that there must be no difference between the
3 claimed invention and the reference disclosure. (*Scripps Clinic and Research Found.*
4 *v. Genetech, Inc.*, id. (Emphasis added)).

5 Accordingly, if the Applicants can demonstrate that any one element or
6 limitation in claims 1, 8-11 and 19 is not disclosed by Braveman, then the respective
7 claim(s) are not anticipated.

8 Claims 1 stands rejected under 35 U.S.C. § 102 as being anticipated by
9 Braveman. Claim 1 has been amended, and now recites in part: "...at least one user
10 input device communicatively coupled to said at least one processor unit, to receive
11 traveler information input by a traveler..." (Emphasis added). No new matter has
12 been added by the amendment of claim 1. Support for the amendment can be found
13 at least at page 4, lines 15-26 and page 10, lines 4-15.

14 As amended, claim 1 clearly recites at least one element not disclosed in
15 Braveman, as Braveman does not disclose an input device to receive traveler
16 information input by a traveler. Instead, Braveman discloses a system where
17 information is entered by a ticketing agent (See Braveman col.7 Ins.2-5) or by
18 personnel at a travel agency (See Braveman col.10 Ins.2-4).

19 Accordingly, because Braveman does not disclose each and every element of
20 amended claim 1, claim 1 cannot be anticipated by Braveman. Therefore,
21 Applicants respectfully request that the rejection be withdrawn, and that claim 1 be
22 allowed in the Examiner's next action.

23 It is axiomatic that any dependent claim which depends from an allowable
24 base claim is also allowable, and therefore the Applicants do not believe it is
25 necessary to present arguments in favor of each and every claim depending from
claim 1. Here claims 2-12 depend from claim 1, and are therefore allowable for at
least the reasons discussed above regarding claim 1, as well as for their own recited

1 features which are neither shown nor supported by the cited art. Nevertheless,
2 some features of dependent claims 2-12 are discussed in more detail below.

3 Claim 19 also stands rejected under 35 U.S.C. § 102 as being anticipated by
4 Braveman. Claim 19 has been amended, and now recites in part: "...presenting on a
5 display a user interface to a traveler that prompts said traveler to input traveler
6 information including contact information for said traveler..." (Emphasis added). No
7 new matter has been added by the amendment of claim 19. Support for the
8 amendment can be found at least at page 6, lines 1-11 and page 8, lines 22-28.

9 As amended, claim 19 clearly recites at least one element not disclosed in
10 Braveman, as Braveman does not disclose presenting on a display a user interface
11 to a traveler that prompts said traveler to input traveler information including contact
12 information for the traveler. Instead, as described above, Braveman discloses a
13 system where information is entered by a ticketing agent (See Braveman col.7 Ins.2-
14 5) or by personnel at a travel agency (See Braveman col.10 Ins.2-4).

15 Accordingly, because Braveman does not disclose each and every element of
16 amended claim 19, claim 19 cannot be anticipated by Braveman. Therefore,
17 Applicants respectfully request that the rejection be withdrawn, and that claim 19 be
18 allowed in the Examiner's next action.

19 Once again, it is axiomatic that any dependent claim which depends from an
20 allowable base claim is also allowable. Here claims 20 depend from claim 19, and is
21 therefore allowable for at least the reasons discussed above regarding claim 19, as
22 well as for their own recited features which are neither shown nor supported by the
23 cited art.

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1 Rejection of Claims under 35 U.S.C. § 103(a)

2 Claims 2-7 and 20 have been rejected under 35 U.S.C. § 103 as being
3 obvious over Braveman in view of U.S. Patent No. 5,809,481 to Baron et al.
4 (hereafter, "Baron").

5 Claims 12-17 have been rejected under 35 U.S.C. § 103 as being obvious
6 over Braveman in view of Baron and further in view of U.S. Patent No. 5,809,250 to
7 Sehr.

8 Claim 13 has been rejected under 35 U.S.C. § 103 as being obvious over
9 Braveman in view of Baron and further in view of Sehr.

10 As a starting point, MPEP 706.02(j) states:

11 [t]o establish a *prima facie* case of obviousness, three basic criteria
12 must be met. First, there must be some suggestion or motivation,
13 either in the cited references themselves or in the knowledge generally
14 available to one of ordinary skill in the art, to modify the reference or to
15 combine the reference teachings. Second, there must be a reasonable
16 expectation of success. Finally, the prior art reference (or references
17 when combined) must teach or suggest all the claim limitations. The
18 teaching or suggestion to make the claimed combination and the
19 reasonable expectation of success must both be found in the prior art
20 and not based on applicant's disclosure.

21 Claim 13 has been amended, as shown below:

22 A kiosk comprising:
23 means for processing computer-executable instructions;
24 means for receiving user input, the input receiving means
25 communicatively coupled to the processing means;
26 means for displaying output to a user, the display means
27 communicatively coupled to the processing means;
28 software code that is executable by the processing means for
29 receiving as input user information useful for reconciliation of a user
30 item with said user, said user information including contact information
31 for said user; and
32 software code that is executable by the processing means for
33 encoding at least a portion of said user information into a machine-
34 readable format; and
35 means for outputting at least the encoded portion of said user
36 information to a tag in said machine-readable format, wherein said at
37 least a portion of said user information encoded into said machine-
38 readable format includes said contact information, and wherein said
39 tag is configured to be coupled to said user item. (Emphasis added).

With respect to claim 13, Braveman does not teach or suggest a kiosk as claimed. Instead, Braveman discloses a system where information is entered by a ticketing agent (See Braveman col.7 Ins.2-5) or by personnel a travel agency (See Braveman col.10 Ins.2-4). There is no mention of a kiosk in Braveman.

Moreover, Baron fails to cure the deficiencies of Braveman, and does not teach or suggest a kiosk as claimed. The Examiner acknowledges such on page 5 of the Office action stating, "Braveman et al. as modified by Baron et al. fails to disclose a kiosk or vending machine."

The Examiner suggests that the teachings of Sehr cure this deficiency. However, Sehr fails to cure the deficiencies of Braveman and Baron. In particular, Sehr fails to teach or suggest a kiosk as described in claim 13, which includes a means for outputting at least the encoded portion of said user information to a tag, "wherein said tag is configured to be coupled to said user item." Instead, the travel system and methods described in Sehr disclose a card station and a travel center. The travel center includes a means for issuing a passenger card. However, this passenger card is not a tag configured to be coupled to a user item as described in claim 13. In fact, Sehr states that at check-in, a representative will "...compile a tag to be attached to the luggage items..." (See Sehr Col.34 Ins.39-50). As such, the combination suggested by the Examiner fails to teach or suggest all of the claim limitations. Therefore, Applicants respectfully request that the rejection be withdrawn, and that claim 13 be allowed in the Examiner's next action.

Once again, it is axiomatic that any dependent claim which depends from an allowable base claim is also allowable, and therefore the Applicants do not believe it is necessary to present arguments in favor of each and every claim depending from claim 13. Here claims 14-17 depend from claim 13, and are therefore allowable for

1 at least the reasons discussed above regarding claim 13, as well as for their own
2 recited features which are neither shown nor supported by the cited art.

3 The Applicants also respectfully disagree that claims 2-7, 12, and 20 are
4 obvious as respectively described herein, for at least those reasons provided above
5 in regard to the axiomatic allowability of claims depending from respective allowable
6 base claims 1 and 19 of the application. Applicant further contends that instant
7 claims 2-7, 12, and 20 are allowable by virtue of their own respective merits, as
8 elaborated in part herein.

9 For example, with respect to claim 3, Braveman fails to teach or suggest
10 receiving traveler information input by a traveler, wherein said contact information
11 includes temporary contact information, and wherein said temporary contact
12 information includes information specifying the time period during which such
13 temporary contact information is valid for contacting said traveler. The term
14 temporary contact information is defined at page 4 lines 15-20 of the present
15 application to include information identifying one or more temporary residences, such
16 as one or more hotels, at which the traveler may be contacted. Instead, Braveman
17 discloses a system where information is entered by a ticketing agent (See Braveman
18 col.7 Ins.2-5) or by personnel at a travel agency (See Braveman col.10 Ins.2-4) and
19 does not teach or suggest including information specifying the time period during
20 which such temporary contact information is valid for contacting said traveler at one
21 or more temporary residences.

22 The Examiner acknowledges such on page 4 of the Office action stating
23 "Braveman et al. fails to teach a system and means of specifying the duration of the
24 contact information..." The Examiner then asserts that in view of Baron it would have
25 been obvious to provide such information.

However, Baron fails to cure the deficiencies of Braveman. In particular,
Baron fails to teach or suggest receiving traveler information input by a traveler,

1 wherein said contact information includes temporary contact information, and
2 wherein said temporary contact information includes information specifying the time
3 period during which such temporary contact information is valid for contacting said
4 traveler. Instead, Baron discloses providing a registration form which is to be
5 completed by a consumer and then sent to a processing facility where the
6 registration information is entered into an information storage system (See Baron
7 col.7 Ins.22-43). Moreover, Baron does not teach or suggest temporary contact
8 information specifying the time period during which such temporary contact
9 information is valid for contacting said traveler, as described in claim 3.

10 Regarding claims 5-7, neither Braveman nor Baron teach or suggest what is
11 claimed. More specifically, on page 4 of the Office action, the Examiner
12 acknowledges that "Braveman et al. fails to teach a system and means of specifying
13 the duration of the contact information, wherein the contact information consists of a
14 cellular phone number and a pager or electronic mailing address." The Examiner
15 then asserts that in view of Baron it would have been obvious to provide such
16 information.

17 However, Baron fails to cure the deficiencies of Braveman. Instead, Baron
18 discloses providing a registration form which is to be completed by a consumer and
19 then sent to a processing facility where the registration information is entered into an
20 information storage system (See Baron col .7 Ins. 22-43). Baron does not teach or
21 suggest mobile contact information as described in claim 5. Nor does Baron teach
22 or suggest the cellular telephone number or pager number as described in claim 6.

23 The Examiner suggests that Baron discloses a tag identifier with printed
24 contact information on the tag (See Office action page 4). Baron does not teach or
25 suggest such a tag. Instead, Baron discloses providing a consumer with a tag which
includes a contact identifier and a tag identifier. However, the contact identifier does
not include printed contact information as claimed. In Baron, the contact identifier is

1 merely used to identify the location and contact information of a processing facility
2 which may be contacted in the event that a tag is found, and can include the
3 telephone number of the processing facility. The tag identifier is then used by the
4 processing facility to identify each tag, while the corresponding owner's contact
5 information is kept confidential at the processing facility (See Barron col. 6 ln. 55 -
6 col. 7 ln. 20). As such Barron does not teach or suggest printing contact information
7 to a tag.

8 As another example, claim 12 of the instant application recites, in part,
9 "wherein said at least one processor unit, said at least one user input device, said
10 display device, and said printer are included within a kiosk." Such recited features
11 are neither taught nor suggested by Braveman. Instead, as described above,
12 Braveman discloses a system where information is entered by a ticketing agent (See
13 Braveman et al. col. 7 Ins. 2-5) or by personnel at a travel agency (See Braveman
14 col. 10 Ins. 2-4), and does not disclose a kiosk as set forth in claim 12.

15 As described above, claims 21-31 have been added. No new matter has
16 been added. Support for claim 21 can be found in the specification at least at page 8
17 lines 20-26. Support for claim 22 can be found in the specification at least at page 6
18 lines 1-25, page 23 lines 1-13, and page 10 lines 16-29. Support for claim 23 can be
19 found at least at page 4 lines 25-26. Support for claims 24-26 can be found at least
20 at page 11 lines 22-28 through page 12 lines 1-5. Support for claim 27 can be found
21 at least at page 10 lines 16-28 and page 14 lines 6-21. Support for claim 28 can be
22 found at least at page 10 lines 23-28 through page 11 lines 1-5. Support for claims
23 29 and 31 can be found at least at page 16 lines 15-19. Support for claim 29 can be
24 found at least at page 15 lines 15-26. Support for claim 30 may be found at least at
25 page 14 lines 11-21. Claims 21-31 are seen to be allowable as presented, and
formal allowance is requested.

Summary

The Applicants believe that this response constitutes a full and complete response to the Office action, and therefore request timely allowance of claims 1-17 and 19-31. The Applicants request reconsideration of claims 1, 13, 19 and 20, as respectively amended, in favor of timely allowance.

The Examiner is respectfully requested to contact the below-signed representative if the Examiner believes this will facilitate prosecution toward allowance of the claims.

Respectfully submitted,

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